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14 **UNITED STATES BANKRUPTCY COURT
15 DISTRICT OF NEVADA**

16 In re:

17 USA COMMERCIAL MORTGAGE
18 COMPANY,

19 USA CAPITAL REALTY ADVISORS,
20 LLC,

21 USA CAPITAL DIVERSIFIED TRUST
22 DEED FUND, LLC,

23 USA CAPITAL FIRST TRUST DEED
24 FUND, LLC,

25 USA SECURITIES, LLC, Debtors.

26 **Affects:**

- 27 All Debtors
 - 28 .. USA Commercial Mortgage Company
 - 29 .. USA Capital Realty Advisors, LLC
 - 30 .. USA Capital Diversified Trust Deed Fund, LLC
 - 31 .. USA Capital First Trust Deed Fund, LLC
 - 32 .. USA Securities, LLC

33 Case No. BK-S-06-10725-LBR
34 Case No. BK-S-06-10726-LBR
35 Case No. BK-S-06-10727-LBR
36 Case No. BK-S-06-10728-LBR
37 Case No. BK-S-06-10729-LBR

38 **CHAPTER 11**

39 Jointly Administered Under Case No.
40 BK-S-06-10725 LBR

41 **MOTION FOR ORDER REQUIRING
42 MEIER & FINE, LLC TO PRODUCE
43 ONE OR MORE CORPORATE
44 REPRESENTATIVES FOR
45 EXAMINATION PURSUANT TO
46 FEDERAL RULE OF
47 BANKRUPTCY PROCEDURE 2004**

48 [No hearing required]

50 Pursuant to Federal Rule of Bankruptcy Procedure 2004, the USACM Liquidating
51 Trust (the "Movant") hereby moves this Court for an order requiring Meier & Fine, LLC
52 ("Meier & Fine") to produce one or more corporate representatives, as set forth in
53 subpoenas issued under Federal Rule of Bankruptcy Procedure 9016, to appear for



1 examination at the law office of Lewis and Roca, LLP, 3993 Howard Hughes Parkway,
 2 Suite 600, Las Vegas, Nevada 89169, on a business day no earlier than ten (10) business
 3 days after the filing of this Motion and no later than April 30, 2007, or at such other
 4 mutually agreeable location, date, and time, and continuing from day to day thereafter
 5 until completed.

6 This Motion is further explained in the following Memorandum.

7

8 **Memorandum**

9

10 The Movant seeks information concerning legal services performed by Meier &
 11 Fine on behalf of USACM, the other debtors in the above-captioned cases (together with
 12 USACM, the "Debtors"), and the Debtors' affiliates, subsidiaries, parents, or otherwise
 13 related entities. The Movant seeks this information to assist in the collection of the assets
 14 and the investigation of the liabilities of the Debtors.

15 The requested discovery from Meier & Fine is well within the scope of examination
 16 permitted under Bankruptcy Rule 2004, which includes:

17 [t]he acts, conduct, or property or . . . the liabilities and financial condition
 18 of the debtor, or . . . any matter which may affect the administration of the
 19 debtor's estate, or to the debtor's right to a discharge. In a . . .
 20 reorganization case under chapter 11 of the Code, . . . the examination may
 21 also relate to the operation of any business and the desirability of its
 22 continuance, the source of any money or property acquired or to be acquired
 23 by the debtor for purposes of consummating a plan and the consideration
 24 given or offered therefore, and any other matter relevant to the case or to the
 25 formulation of a plan.¹

26

27 **Conclusion**

28 Accordingly, the Movant requests that this Court enter the form of order submitted
 29 with this Motion.

¹ FED.R. BANKR. P. 2004(b).

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2 Dated: March 13, 2007.
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5 **LEWIS AND ROCA LLP**
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